

JOURNAL OF THE HOUSE.

Monday, August 15, 2005.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

God, Our Creator, the Ultimate Source of Forgiveness and Truth, Your guidance and direction enables us to recognize and address correctly our legislative responsibilities and opportunities. In these changing times with possible, at all times, terrorist activities, teach us to be good and careful listeners to constituents as we formulate policies and propose programs which meet the needs of today. As legislators, inspire us to be guided by solid philosophical principles and personal values, human and spiritual, in our roles as decision makers. Help us to unite all people in our diverse communities with a diversity of agenda in pursuing goals and priorities which serve the ultimate best interests of all people, from the youngest children to the oldest adults.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of  
allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Donald  
and Gerry  
Gallagher.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Donald and Gerry Gallagher on their fiftieth wedding anniversary; and

Ralph  
and Bette  
Hemmingsen.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Ralph and Bette Hemmingsen on their sixtieth wedding anniversary;

Mrs. Parente of Milford, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Kaufman of Lexington, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

Vocational  
education  
teachers.

The engrossed Bill relative to creditable service for vocational education teachers (see Senate, No. 2057), which had been returned to the Senate by Her Honor the Lieutenant-Governor, Acting Governor, with recommendation of amendment (for message, see Senate, No. 2177), came from said branch with the endorsement that it had refused to amend the bill.

Under suspension of the rules, on motion of Mr. Rushing of Boston, the amendment recommended by the Acting Governor was considered forthwith. The House then also refused to amend the bill.

A Bill relative to the financing and construction of a public parking garage and other improvements in the city of Worcester (Senate, No. 2172, amended in section 2, in line 20, by inserting after the word "Developer" the words "in constructing the Public Project Elements", and in line 22, by striking out the following: "section 27" and inserting in place thereof the following: "sections 26 to 27F, inclusive,"; and in section 3, in line 22, by inserting after the word "binding" the words "indemnifications or", and in line 26, by striking out the words "design or") (on Senate, No. 2140 and House, No. 4226), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Worcester,  
parking  
garage.

A report of the committee on Labor and Workforce Development, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1135) of Dianne Wilkerson and Gloria L. Fox for legislation to further define employment discrimination, and recommending that the same be referred to the committee on the Judiciary,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Employment  
discrimination,  
define.

A petition (subject to Joint Rule 12) (accompanied by bill, Senate, No. 2182) of Robert A. O'Leary, Therese Murray and Jeffrey D. Perry for legislation to increase the penalty for failure to make a written return in connection with the valuation of certain real estate, came from the Senate with the endorsement that it had been referred by said branch to the committee on Municipalities and Regional Government. Referred, under Joint Rule 12, to the committees on Rules of the two branches, acting concurrently, the question being on suspending Joint Rule 12.

Real estate  
valuations,  
written  
returns.

Reports of Committees.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill to ensure quality appointments (House, No. 282),— and recommending that the same be recommitted to the committee on Public Service. Under Rule 42, the report was considered forthwith; and it was accepted.

Commissions,  
appointments.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill relative to licensure of court reporters (House, No. 3446).

Court  
reporters,  
licensure.

By Mr. Rodrigues of Westport, for the committee on Labor and Workforce Development, on House, No. 3936, a Bill relative to state unemployment tax avoidance (House, No. 4342).

State  
unemployment  
tax.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Charitable  
corporations,  
employees.

By Mr. Rodrigues of Westport, for the committee on Labor and Workforce Development, on a petition, a Bill to protect the financial privacy of all employees of non-profit or charitable corporations (House, No. 2119).

Employees,  
protections.

By the same member, for the same committee, on Senate, No. 928 and House, No. 3775, a Bill to protect employees from unscrupulous employers (House, No. 4343).

James  
Bowlby,  
sick leave  
bank.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for James Bowlby, an employee of the Department of Correction (House, No. 4189).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Conservation  
commissions,  
consultants.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill to clarify the authority of conservation commissions to impose consultant fees (Senate, No. 1167) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, the bill was referred, on motion of the same member, to the committee on Ways and Means.

Ordinances  
and  
by-laws.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to the effective enforcement of municipal ordinances and by-laws (Senate, No. 1168) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, the bill was referred, on motion of the same member, to the committee on Ways and Means.

Sandra  
Spiros,  
sick leave  
bank.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Sandra Spiros, an employee of the Suffolk Superior Court Department of the Trial Court (House, No. 4325). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Public  
employees,  
military.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill further regulating salaries of public employees serving in the Armed Forces of the United States (Senate, No. 2062, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Teahan of Whitman, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the conveyance of a certain parcel of Commonwealth land to the city of Revere for public purposes (House, No. 4308) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Revere,  
land.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kaufman of Lexington, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the charter of the town of Millis (House, No. 4243) be scheduled for consideration by the House.

Millis,  
charter.

Under suspension of Rule 7A, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Kathleen A. Sammataro, an employee of the Trial Court of the Commonwealth (House, No. 4310) be scheduled for consideration by the House.

Kathleen A.  
Sammataro,  
sick leave  
bank.

Under suspension of Rule 7A, on motion of Mrs. Teahan of Whitman, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to property in the town of Foxborough (House, No. 4332) be scheduled for consideration by the House.

Foxborough,  
land lease.

Under suspension of Rule 7A, on motion of Mr. Lepper of Attleboro, the bill was read a second time forthwith; and it was ordered to a third reading.

### *Engrossed Bills.*

The engrossed Bill authorizing the conveyance of certain land in the town of Tewksbury to Robert W. Lafreniere (see House, No. 1421) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

The engrossed Bill increasing the expenditure limit on revolving funds in the town of Brookline (see House, No. 4112) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

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*Orders of the Day.*

Third  
reading  
bills.

## House bills

Authorizing the town of Dracut to grant an additional license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 4275); and

Authorizing the town of Dracut to grant an additional license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 4276);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Weymouth,  
special  
police.

The House Bill relative to the appointment of retired police officers in the town of Weymouth to serve as special officers (House, No. 3848) was read a third time.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

Pending the question of passing the bill to be engrossed, Mr. Murphy of Weymouth moved that it be amended by substitution of a bill with the same title (House, No. 4344), which was read.

The amendment then was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

*Order.*

Next  
sitting.

On motion of Mr. DiMasi of Boston,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

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At twenty-six minutes after eleven o'clock A.M., on motion of Mr. Rushing of Boston (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.